

Minutes  
Morganton Planning & Zoning  
May 14<sup>th</sup>, 2015

Members Present:

Bill Lennon, Vice-Chairman  
Judy Francis  
Waits Gordon  
Rick Lingerfelt  
Claude Huffman  
Kim Woolard  
Pete Wallace  
Don Smith

Members Absent:

Hank Dickens, Chairman  
David Kirk

Also present from the City staff were Lee Anderson, Director Development Design Services; Louis Vinay, City Attorney; and Jackie Cain, Administrative Manager.

**I. OLD BUSINESS:**

**Item 1: Review and approval of the March 12<sup>th</sup>, 2015 Minutes.**

Mr. Lennon stated a copy of the minutes had been provided. Mr. Lennon made a motion that the minutes be approved, seconded by Mr. Wallace and unanimously approved (10-0).

**Item 2: Review of City Council action since last meeting.**

Mr. Anderson reported City Council met April 6<sup>th</sup>, 2015 and approved proposed Zoning Ordinance Amendment to Section 3.4.2 (D) (3) to clarify the conditions by which Family Care Homes may be established.

**II. APPEARANCES:**

Mr. Lennon stated this time is set-aside for individuals to come before the planning board to express any planning related concerns to the planning board.

None.

**III. NEW BUSINESS:**

**Item 1: Consideration to amend Section 3.4.2 (B) (3) entitled Accessory Structures (Residential) of the Morganton Zoning Ordinance to clarify size and quantity limitations:**

Mr. Lennon asked Mr. Anderson to explain.

Mr. Anderson provided members with a copy of Section 3.4.2 (B) Accessory Structures (Residential). He stated there are 10 requirements listed in the Section which provides guidelines for accessory structures. Mr. Anderson stated (3) currently reads:

No residential lot shall have more than two (2) accessory structures (excluding swimming pools). The total area of residential accessory structures on a lot shall not exceed one-half (1/2) of total square footage of the principal dwelling. In Low

Intensity District (LID), lots two (2) acres or greater in size are exempt from the accessory building size limitation, provided that any building that exceeds the limitation shall be setback a minimum of 20 feet from the property line.

Mr. Anderson stated this item of review stems from a building application request. He stated this excludes swimming pools, but would be a garage, storage building etc. Mr. Anderson stated the request tonight is to allow more than two accessory structures.

He stated the ordinance would now read: (3) of Section 3.4.2 and inserting in its place and stead the following:

No residential lot within the LID and MID zoning districts shall have more than two (2) accessory structures (excluding swimming pools). The total area of all accessory structures on a residential lot shall not exceed one-half (1/2) of the total square footage of the principal dwelling. In the LID and the MID, lots two (2) acres or greater in size are exempt from these limitations on number and size of accessory buildings, provided that any building that exceeds the limitations shall be set back a minimum of 20 feet from any property line. The accessory building size and number restrictions stated herein do not apply to the HID zoning district.

Mr. Anderson stated the current ordinance was perhaps a little excessive to those residences located in the HID zoning districts.

Ms. Francis asked would this affect the Neighborhood Conservation Districts.

Mr. Anderson stated no it would not. He stated MID and LID would still have to comply and Neighborhood Conservation Districts are only located within those zoning districts.

Mr. Vinay stated clarification of language use and in order to be consistent, calling attention to the use of “size and quantity limitations and size and number limitations” previously. Also adding, “accessory buildings” for additional clarification.

Mr. Smith made a motion to approve,

No residential lot within the LID and MID zoning districts shall have more than two (2) accessory structures (excluding swimming pools). The total area of all accessory structures on a residential lot shall not exceed one-half (1/2) of the total square footage of the principal dwelling. In the LID and the MID, lots two (2) acres or greater in size are exempt from these limitations on quantity and size of accessory buildings, provided that any building that exceeds the limitations shall be set back a minimum of 20 feet from any property line. The accessory building size and quantity restrictions stated herein do not apply to the HID zoning district,

seconded by Mr. Wallace and approved unanimously (8-0).

Mr. Anderson stated City Council would meet on June 1st, 2015 at 6 p.m. to review the recommendation.

#### **IV. OTHER ITEMS OF DISCUSSION**

Mr. Anderson stated 30 day notice has been given to City Council regarding three (3) planning commission members whose terms will be expiring June 3<sup>rd</sup>, 2015. Claude Huffman, Bill Lennon and Waits Gordon will be submitted to City Council for those vacancies and reappointment of a 3 year term.

**V. ADJOURN 5:40 p.m. Next Regular Meeting: Thursday June, 11th 2015 at 5:15 PM**